

**Sim, Lowman, Ashton & McKay LLP***Barristers & Solicitors*6<sup>th</sup> Floor, 330 University Avenue  
Toronto, Ontario, Canada M5G 1R7**Tel. (416) 595-1155 • Fax (416) 595-1163****Sim & McBurney***Patent & Trade Mark Agents***RECEIVED  
CENTRAL FAX CENTER****FEB 12 2007****URGENT****DATE: February 12, 2007****Your Ref:****Our Ref: 3206-276 LAB**

TO:	FAX #	PHONE #
Commissioner for Patents United States Patent & Trademark Office	571 273 8300	

Total Number of Pages (Including This Page): 14**FROM: Dr. Lola A. Bartoszewicz, Ph.D. / 416 849 8420****COMMENTS:**

We are transmitting from a Xerox Telecopier 7033, 7020 or Workcentre Pro 745 – Group 3 which are compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

**Confidentiality Notice**

This message is intended only for the use of the individual person or entity to which it is addresses and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or the agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosing, copying, distributing or the taking of any action in reliance on the contents of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone (call collect) and return the original message to us at the above address via the postal service. Thank you.

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

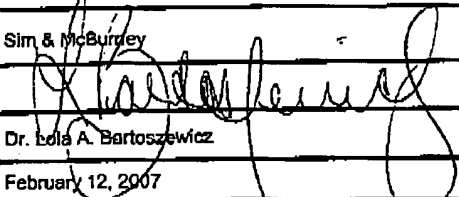
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>	Application Number	10/574,018
	Filing Date	September 29, 2004
	First Named Inventor	Graham DeLaire
	Art Unit	
	Examiner Name	
(to be used for all correspondence after initial filing)		
Total Number of Pages in This Submission	13	Attorney Docket Number 3206-278 LAB

**RECEIVED**  
**CENTRAL FAX CENTER**  
**FEB 12 2007**

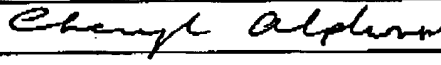
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input checked="" type="checkbox"/> CD, Number of CD(s) 4 <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Sim & McBurney		
Signature			
Printed name	Dr. Boris A. Bartoszewicz		
Date	February 12, 2007	Reg. No.	43394

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Cheryl Alphonso	Date	February 12, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

FEB 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No: 9149

Appl. No. : 10/574,018  
Applicant : Graham Dellaire  
Filed : September 29, 2004  
Docket No. : 3206-276 LAB  
Customer No. : 24223  
For : **METHOD OF IN SITU DETECTION OF PROTEINS USING  
APTAMERS**

February 12, 2007

United States Patent and Trademark Office  
Customer Service Window, **Mail Stop Missing Parts**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

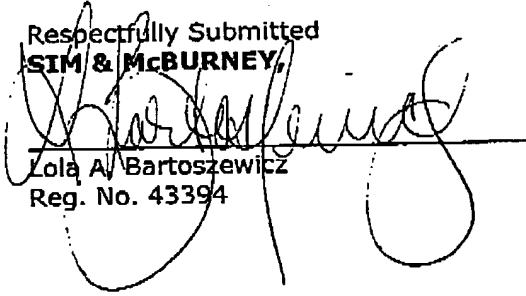
**SUBMITTAL OF SEQUENCE LISTING ON COMPACT DISC  
PURSUANT TO 37 CFR § 1.52(e)(3)(ii)**

Dear Sirs:

This is responsive to the "Notification of Defective Response" mailed January 10, 2007, in the above identified patent application.

Pursuant to 37 CFR § 1.52(e)(3)(ii), enclosed please find a compact disc containing the file name sequence listing. The file is 2 kb in size and was created on February 12, 2007. The machine format is IBM-PC. The operating system compatibility is MS Windows XP.

Respectfully Submitted  
**SIM & McBURNEY,**

  
Lola A. Bartoszewicz  
Reg. No. 43394

24223  
SIM & McBURNEY  
6<sup>th</sup> Floor  
330 University Avenue  
Toronto, Ontario M5G 1R7  
Phone: 416-849 8420  
Fax: 416-595-1163

In re: Graham Dellaire et al  
Appl. No. 10/574,018  
Filed: November 29, 2006  
Page 2

RECEIVED  
CENTRAL FAX CENTER

FEB 12 2007

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being couriered to the United States Patent & Trademark Office by Federal Express in an envelope addressed to: United States Patent and Trademark Office, Customer Window, Mail Stop Missing Parts, Randolph Building, 401 Dulany Street, Alexandria, VA 22314, on January 12, 2007.

  
Cheryl Alphonso

RECEIVED  
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 12 2007

Confirmation No: 9149

Appl. No. : 10/574,018  
Applicant : Graham Dellaire  
Filed : September 29, 2004  
Docket No. : 3206-276 LAB  
Customer No. : 24223  
For : **METHOD OF IN SITU DETECTION OF PROTEINS USING  
APTAMERS**

February 12, 2007

United States Patent and Trademark Office  
Customer Service Window, **Mail Stop Missing Parts**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**COMPACT DISC TRANSMITTAL SHEET FOR SUBMISSION OF SEQUENCE LISTING TO  
THE UNITED STATES RECEIVING OFFICE UNDER PCT ADMINISTRATIVE  
INSTRUCTIONS - PART 8**

Dear Sirs:

**International Application Data**

Applicant: Graham Dellaire  
File Reference: 3206-276 LAB  
Title: Method of in situ Detection of Protein Using Aptamers

**Applicant's Contact Information**

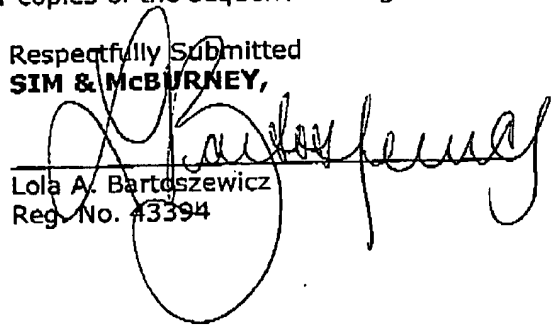
Name of Contact: Dr. Lola A. Bartoszewicz (Agent of Record #43394)  
Telephone Number: (416) 849-8420  
Facsimile Number: (416) 595-1163

**Sequence Listing File**

Name of File: Seq Listing for Filing. txt  
Size of File: 2kb  
Date of File: February 12, 2007

I hereby certify that the four copies of the sequence listing submitted herewith are identical.

Respectfully Submitted  
**SIM & MCBURNEY,**

  
Lola A. Bartoszewicz  
Reg. No. 43394


24223  
SIM & MCBURNEY  
6<sup>th</sup> Floor  
330 University Avenue  
Toronto, Ontario M5G 1R7

RECEIVED  
CENTRAL FAX CENTER

FEB 12 2007

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being couriered to the United States Patent & Trademark Office by Federal Express in an envelope addressed to: United States Patent and Trademark Office, Customer Window, Mail Stop Missing Parts, Randolph Building, 401 Dulany Street, Alexandria, VA 22314, on February 12, 2007.



Cheryl Alphonso

RECEIVED  
CENTRAL FAX CENTER

FEB 12 2007

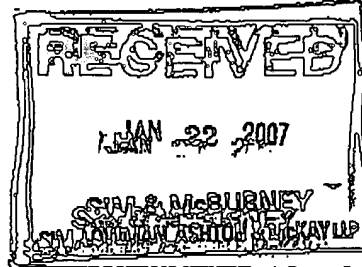


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/574,018	FIRST NAMED APPLICANT Graham Dellaire	ATTY. DOCKET NO. 3206-276 LAB
---	--	----------------------------------

24223  
SIM & MCBURNEY  
330 UNIVERSITY AVENUE  
6TH FLOOR  
TORONTO, ON M5G 1R7  
CANADA



INTERNATIONAL APPLICATION NO. PCT/CA04/01757	
LA. FILING DATE 09/29/2004	PRIORITY DATE 09/30/2003

CONFIRMATION NO. 9149  
371 FORMALITIES LETTER  
\*OC000000021909670\*

Date Mailed: 01/10/2007

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- o Indication of Small Entity Status
- o Priority Document
- o Copy of the International Application filed on 03/29/2006
- o Copy of the International Search Report filed on 03/29/2006
- o Preliminary Amendments filed on 03/29/2006
- o Biochemical Sequence Diskette filed on 12/01/2006
- o Oath or Declaration filed on 12/01/2006
- o Biochemical Sequence Listing filed on 12/01/2006
- o U.S. Basic National Fees filed on 03/29/2006
- o Priority Documents filed on 03/29/2006
- o Power of Attorney filed on 12/01/2006

URGENT

Applicant's response filed 12/01/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/02/2006 have not been completed.

- o The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- o This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8,

2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,018	PCT/CA04/01757	3206-276 LAB

FORM PCT/DO/EO/916 (371 Formalities Notice)